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ATTORNEY DOCKET NO. CONFIRMATION NO.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/628,404	10/628,404 07/29/2003 Noriyuki Suzuki		00862.023154	6374	
5514 7590 10/10/2006			EXAMINER		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA			CHERY, MARDOCHEE		
NEW YORK,	NY 10112		ART UNIT	PAPER NUMBER	
			2188		

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/628,404	SUZUKI ET AL.	
Examiner	Art Unit	
Mardochee Chery	2188	

	Mardochee Chery	2188	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED <u>07 September 2006</u> FAILS TO PLACE THI	S APPLICATION IN CONDITION F	OR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods:	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in c	idavit, or other evider compliance with 37 Cl	rce, which FR 41.31; or (3)
a) \square The period for reply expires 3 months from the mailing date			
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE 06.07(f).	g date of the final rejecti E FIRST REPLY WAS F	on. ILEO WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropri inally set in the final Offi	ate extension fee ce action; or (2) as-
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	ns of the date of e appeal. Since
3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief	will not be entered b	0021100
(a) They raise new issues that would require further co	nsideration and/or search (see NO ow);	TE below);	
(c) They are not deemed to place the application in be appeal; and/or	tter form for appeal by materially re	ducing or simplifying	the issues for
(d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).	-		
4. The amendments are not in compliance with 37 CFR 1.1 5. Applicant's reply has overcome the following rejection(s)		empliant Amendment	(PTOL-324).
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 	llowable if submitted in a separate,	timely filed amendme	ent canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ll be entered and an e	explanation of
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: <u>1-15</u> .			
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE			•
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 	ut before or on the date of filing a N d sufficient reasons why the affiday	otice of Appeal will <u>no</u> vit or other evidence is	ot be entered s necessary and
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar 	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a
10. The affidavit or other evidence is entered. An explanation	on of the status of the claims after e	ntry is below or attach	ned.
REQUEST FOR RECONSIDERATION/OTHER 11. ☐ The request for reconsideration has been considered bu	ut does NOT place the application i	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08) Paper No(s).		- 1
13. ☑ Other: <u>See Continuation Sheet</u> .	Camo	lamana	Shan
•	MA SUPERV	ledmans NO PADMANABHA ISORY PATENT EX	N 10/03/06 AMINER
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